



**Court Interpreter Services
U.S. District Court, Central District of California**

**Orientation for Contract Court Interpreters
SENTENCING**

A sentence is a judgment of the court imposing a punishment upon a defendant found guilty of a crime. The defendant may have been found guilty by a jury after a jury trial, may have been convicted by the judge after a bench trial, or have pled guilty instead of going to trial.

At the sentencing hearing, the defendant, defense counsel, and the prosecutor appear before the court. The probation officer may also be present. Before the case is called, the interpreter should ask the defense attorney for the probation report. A quick review of the report will be helpful to the interpreter, particularly the probation officer's recommendation at the end of the report. In many instances, the court will impose the sentence recommended by the probation officer.

On occasion, the probation report has not been sight-translated to the defendant prior to the sentencing hearing. If asked to translate the report in the courtroom, the interpreter should inform defense counsel that it will take approximately 3 minutes to translate one page of the report, and depending on the number of pages in the report, sufficient time has to be allowed for the interpreter to complete the translation.

When the case is called, the interpreter should accompany the defendant to the lectern and remain standing next to him or her. Everything that is said in the courtroom from that point on must be interpreted simultaneously to the defendant. Any statements made by the defendant should be interpreted consecutively.

The court will make reference to the probation report, the sentencing memoranda submitted by the parties, and any letters submitted on behalf of the defendant. The defendant will be asked whether the probation report has been translated to him or her, and whether the report contains any factual errors. There may be lengthy discussions between court and counsel having to do with the sentencing guidelines, the probation officer's calculations of the guideline range, and whether there is any reason for either an upward or a downward departure from the sentencing guideline range. Both defense counsel and counsel for the government will address the court with their views as to an appropriate sentence. The court will address the defendant personally to ascertain whether the defendant wishes to make a statement on the defendant's own behalf and to present any information in mitigation of punishment. Many defendants pass on this opportunity to be heard, and instead rely on what their attorney has argued on their behalf. Others may make lengthy statements, quote from



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religious texts, or pull out a letter handwritten in their native language. If asked to sight-translate such a letter, the interpreter should request that the court allow the interpreter to first review the text to determine whether it is legible. Once sight-translation is attempted, the interpreter should be able to complete the translation without lengthy pauses. It may be preferable to ask the court to allow the defendant to read the letter out loud, one sentence at a time, with the interpreter rendering consecutive interpretation.

The imposition of the sentence will begin with wording similar to the following:
“Pursuant to the Sentencing Reform Act of 1984, it is the judgment of the court that the defendant (name) is hereby committed on counts (numbers) of the indictment to the custody of the Bureau of Prisons to be imprisoned for a term of (months). Upon release from imprisonment, the defendant shall be placed on supervised release for a term of (years).....the defendant shall comply with the rules and regulations of the U.S. Probation Office and General Order 318.....” Reference will be made to restitution payments, special assessments, and fines. If the defendant is illegally in the country and subject to deportation, the court may inform the defendant of the consequences should he re-enter the country illegally.

After imposing sentence in a case which has gone to trial on a plea of not guilty, the court will advise the defendant of his or her right to appeal, including the right to appeal the sentence, within ten days. A defendant who has pled guilty to the charges does not have the right to file an appeal from the conviction, but may appeal the sentence. If the defendant so requests, the courtroom deputy clerk may prepare and file forthwith a notice of appeal on behalf of the defendant.

Once the sentencing hearing has concluded, the interpreter should check with defense counsel and/or the courtroom deputy clerk as to whether the interpreter may be excused. Ask the clerk to sign the back of your claim form before leaving the courtroom. Please call interpreter services (213 894-4370) prior to leaving the courthouse.



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GLOSSARY

General sentencing terminology used in district courts

Acceptance of responsibility	
Addendum to the report	
Adjudication of sentence	
Appeal <i>in forma pauperis</i>	
Attorney General of the United States	
Base offense level	
Bench trial	
Bond is exonerated	
Bureau of Prisons inmate financial responsibility program	
Career criminal	
Co-defendants	
Combined adjusted offense level	
Committed to the custody of the Bureau of Prisons for a term of	
Community supervision	
Comply with rules and regulations	
Confined in a jail-type institution	
Consecutive/concurrent sentence	
Continuing criminal enterprise	
Costs of imprisonment & supervision	
Counts of the indictment	
Criminal forfeiture	
Criminal history computation	
Defense attorney	
Discharged, entitled to be	
Disclosure of the pre-sentence report	



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Electronic monitoring	
Enhancements	
Execution of sentence is stayed	
Factual errors	
Failure to appear	
Federal public defender	
Forthwith release/remand/appeal	
Guideline table	
Guideline provisions	
Home detention	
Illegal reentry of a deported alien	
Is your mind clear	
Judgement of conviction	
Juvenile adjudications	
Lectern	
Minimal/minor role in the offense	
Mitigation of punishment	
Narcotics conspiracy	
Notice of appeal	
Obstruction of justice	
Offender characteristics	
Penalties for default and delinquency	
Perfect an appeal from the sentence	
Plea agreement	
Plead guilty	
Pre-sentence/probation report	
Present bond to continue as bond on appeal	
Prior criminal record	



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Probation officer	
Pronouncement of judgement and imposition of sentence	
Racketeering enterprise	
Release status	
Release from custody/imprisonment	
Restitution payment	
RICO statute	
Right to appeal	
Role in the offense	
Safety valve	
Sentencing Commission	
Sentencing guideline range	
Sentencing memorandum	
Sentencing Reform Act of 1984	
Sentencing hearing	
Special assessment	
Specific offense characteristics	
Statutory maximum	
Subject to deportation	
Term of incarceration	
Termination of supervision	
Total offense level	
Underlying indictment/information	
United States attorney	
Upward/downward departure	
Verdict or findings	
Victim-related adjustments	